

Whereas a Treaty has been agreed to and concluded between the United States of America on the one part and the Choctaw Nation of Indians on the other, which Treaty is in the words following to wit:—

# A Treaty of Friendship, Limits and Accommodation, between the United States of America and the Choctaw Nation of Indians.

Thomas Jefferson President of the United States of America, by James Wilkinson of the State of Maryland, Brigadier General in the Army of the United States, Benjamin Hawkins of North Carolina, and Andrew Pickens of South Carolina Commissioners plenipotentiary of the United States, on the one part, and the Mingo, Principal Men and Warriors of the Choctaw nation representing the said nation in council assembled on the other part have entered into the following articles and conditions viz:

**Article 1<sup>st</sup>** Whereas the United States in Congress assembled did by their Commissioners plenipotentiary Benjamin Hawkins, Andrew Pickens, and Joseph Martin at a Treaty held with the Chiefs and Head Men of the Choctaw Nation at Hopewell on the Keowee, the third day of January in the Year of our Lord One thousand seven hundred and eighty six give peace to the said nation, and receive it into the favor and protection of the United States of America: It is agreed by the parties to these presents respectively, that the Choctaw nation or such part of it, as may reside within the limits of the United States, shall be and continue under the care and protection of the said States, and that the mutual confidence and friendship, which are hereby acknowledged to subsist between the contracting parties shall be maintained and perpetuated.

**Article 2<sup>nd</sup>** The Mingo, Principal Men, and Warriors of the Choctaw nation of Indians, do hereby give their free consent, that a convenient and durable waggon way may be explored, marked, opened, and made under the orders and instructions of the President of the United States through their lands, to commence at the northern extremity of the settlements of the Mississippi Territory, and to be extended from thence, by such route as may be selected and surveyed under the Authority of the President of the United States, until it shall strike the lands claimed by the Chickasaw nation, and the same shall be and continue for ever, a highway for the Citizens of the United States and the Choctaws: and the said Choctaws shall nominate two discreet men from their nation, who may be employed as assistants, guides, or pilots during the time of laying out and opening the said highway, or so long as may be deemed expedient, under the direction of the Officer charged with this duty, who shall receive a reasonable compensation for their services.

**Article 3<sup>d</sup>** The two contracting parties covenant and agree that the old line of demarcation heretofore established by and between the Officers of His Britannic Majesty and the Choctaw Nation, which runs in a parallel direction with the Mississippi river and eastward thereof shall be retraced and plainly marked in such way and manner as the President may direct, in the presence of two persons to be appointed by the said nation; and that the said line shall be the boundary between the Settlements of the Mississippi Territory and the Choctaw Nation. And the said nation does by these presents relinquish to the United States and quit claim for ever all their right, title and pretension to the land lying between the said line and the Mississippi River, bounded South by the thirty first degree of North Latitude and North by the Yazoo river, where the said line shall strike the same: and on the part of the Commissioners it is agreed, that all persons who may be settled beyond this line shall be removed within it, on the side towards the Mississippi, together with their slaves, household furniture, tools, materials and stock, and that the Cabins or Houses erected by such persons shall be demolished.

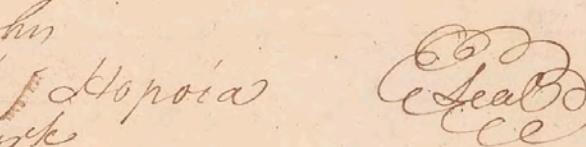
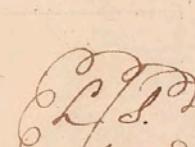
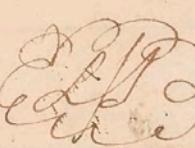
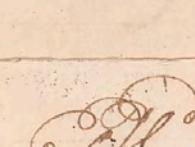
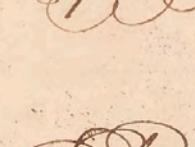
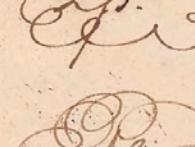
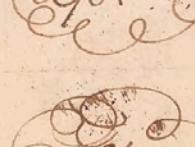
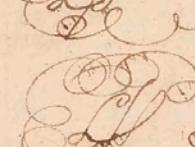
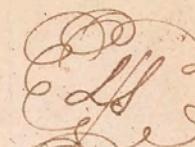
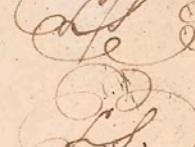
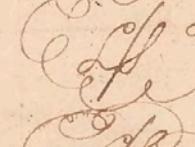
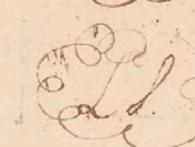
**Article 4<sup>th</sup>** The President of the United States may at his discretion proceed to execute the second article of this treaty, and the third article shall be carried into effect, as soon as may be convenient to the Government of the United States, and without unnecessary delay on the one part or the other of which the President shall be the judge; The Choctaws to be reasonably advised, by order of the President of the United States, of the time when and the place where the resurvey and remarking of the old line, referred to in the preceding article will be commenced.

**Article**

Article 5<sup>th</sup> The Commissioners of the United States for and in consideration of the foregoing concessions on the part of the Choctaw nation and in full satisfaction for the same, do give and deliver to the Mingo, Chiefs, and Warriors of the said Nation at the signing of these presents, the value of Two thousand dollars in goods and merchandise nett cost of Philadelphia, the receipt whereof is hereby acknowledged, and they further engage to give three Sets of Blacksmiths Tools to the said nations.

Article 6<sup>th</sup> This Treaty shall take effect and be obligatory on the contracting parties so soon as the same shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof.

In testimony whereof the Commissioners plenipotentiary of the United States and the Mingo, Principal Men and Warriors of the Choctaw nation, have here subjoined their names and affixed their seals at Fort Adams on the Mississippi this seventeenth day of December in the year of our Lord One thousand eight hundred and one and of the Independence of the United States the twenty sixth.

Lushonar his  
mark   
Tota his  
mark   
a Mingo Head his  
mark   
Oak his  
mark   
Mingo his  
mark   
Buckskin his  
mark   
Shappa his  
mark   
Nunpa his  
mark   
Illa talla his  
mark   
Hoché his  
mark   
Tuppena his  
mark   
Muclusha his  
mark   
(appetance) Thlicco  
mark   
Robert R. McClure  
mark   
Pooshaw his  
mark   
Baka his  
mark 

J. Wilkins

Benjamin Hawkins

And. Nichols

Witness present

Alex. Macomb Genl<sup>l</sup> of the Armys.

John A. Mac. Superintendent of the Choctaws

Perry Drury Genl. Comr. of the Choctaws

John M. Brule Major 2<sup>nd</sup> Regiment Infantry

Burg. Staunton Capt. 2<sup>nd</sup> Regt. Infantry

John D. Jones Capt. 2<sup>nd</sup> Regt. Infantry

Pennickin Lient. of Pay Master 3<sup>rd</sup> Regt.

J. W. Miller Adj't to the Commanding General.

J. Wilson Capt. 3<sup>rd</sup> Regt. Inf.

J. M. P. M. Capt. 2<sup>nd</sup> Regt. Inf.

M. J. Cannishall Surg<sup>l</sup> 3<sup>rd</sup> Regt. Inf.

And

And Whereas the Senate of the United States did by their resolution on the Twenty ninth day of April, one thousand Eight hundred and two, two thirds of the Senators then present concurring, consent to and advise the ratification of the said Treaty: Now Therefore, I THOMAS JEFFERSON President of the United States of America, having seen and considered the said Treaty, do in pursuance of the aforesaid advice and consent of the Senate of the said United States, by these presents accept, ratify and confirm the said Treaty and every clause and article thereof as the same are herein before set forth: And I do moreover hereby declare the same to be a Treaty of Friendship, Limits and accommodation Between the United States of America and the Choctaw Nation of Indians, made by the President of the United States, by and with the advice and consent of the Senate thereof.

In Testimony Whereof, I have caused the Seal of the United States to be affixed to these presents and signed the same with my Hand.

GONE at the City of Washington the Thirtieth day of April in the year of our Lord one thousand Eight hundred and two; and of the Sovereignty and Independence of the United States of America, the Twenty Sixth.

A circular seal of the United States, featuring an eagle with spread wings, a shield on its chest, and a crest with a star. The words "UNITED STATES OF AMERICA" are inscribed around the top edge of the seal.

J. JEFFERSON

By the President.

James Madison Secretary of State.

- 1801 -

Treaty between the US & Choctaw,  
Sated, Dec 17. 1801  
Ratified, this 30. 1802.

xxx1

In Senate of the United States

April. 29. 1802.

Resolved, by the Senate of the United States, two thirds of the Senators present, concurring therein, that the Senate do advise and consent that the President of the United States do ratify the Treaty of friendship, limits and accommodation, between the United States of America and the Choctaw Nation, concluded at Fort Adams, the 17<sup>th</sup> day of December, 1801.

Attest

Sam: A. Otis Secretary.

Apr. 29, 1802

Treaty with Chactawos

Ratification

1800 D.

1800 D.

1800 D.



XXX2

By the President of the United States, of America  
A Proclamation.

Whereas a Treaty between the United States of America and the Choctaw Nation of Indians, was concluded and signed, on the seventeenth day of December, in the year One thousand eight hundred and one, by the Commissioners of both Nations, fully and respectively authorised for that purpose, and was duly ratified and confirmed by the President of the United States on the thirtieth day of April, in the year One thousand eight hundred and two, with the advice and consent of the Senate, which Treaty is in the words following, to wit:

"A Treaty of Friendship, limits and accommodation, between the United States of America and the Choctaw Nation of Indians.

Thomas Jefferson, President of the United States of America, by James Wilkinson of the State of Maryland, Brigadier General in the army of the United States, Benjamin Hawkins of North Carolina, and Andrew Pickens of South Carolina Commissioners Plenipotentiary of the United States, on the one part, and the Mungos, Principal men and Warriors of the Choctaw Nation representing the said Nation in Council assembled on the other part have entered into the following articles and conditions - viz.

Article 1<sup>st</sup> Whereas the United States in Congress assembled did by their Commissioners Plenipotentiary, Benjamin Hawkins, Andrew Pickens and Joseph Martin at a Treaty held with the chiefs and head men of the Choctaw Nation at Hopewell on the thirteenth day of January in the year of our Lord One thousand seven hundred and eighty six give peace to the said nation, and receive it into the favor and protection of the United States of America: It is agreed by the parties to these presents respectively, that the Choctaw Nation or such part of it, as may reside within the limits of the United States, shall be and continue under the care and protection of the said States, and that the mutual confidence and friendship which are hereby acknowledged to subsist between the contracting parties shall be maintained and perpetuated.

Article 2<sup>d</sup> The Mungos Principal men and Warriors of the Choctaw Nation of Indians, do hereby give their free consent, that a convenient and durable waggon way be explored, marked, opened and made under the orders and instructions of the President of the United States through their

their lands; to commence at the Northern Extremity of the Settlements of the Mississippi Territory, and to be extended from thence, by such route as may be selected and surveyed under the authority of the President of the United States, until it shall strike the lands claimed by the Chickasaw nation; and the same shall be and continue forever a high way for the Citizens of the United States and the Chactaws; and the said Chactaws shall nominate two discreet men from their nation, who may be employed as assistants, guides or pilots during the time of laying out and opening the said high way, or so long as may be deemed expedient, under the direction of the Officer charged with this duty, who shall receive a reasonable compensation for their services.

Article 3<sup>d</sup>. The two contracting parties covenant and agree that the old line of demarcation heretofore established by and between the Officers of his Britannic Majesty and the Chactaw Nation, which runs in a parallel direction with the Mississippi river and eastward thereof shall be retraced and plainly marked in such way and manner as the President may direct, in the presence of two persons to be appointed by the said Nation; and that the said line shall be the boundary between the Settlements of the Mississippi Territory and the Chactaw Nation. And the said Nation does by these presents relinquish to the United States and quit claim for ever all their right, title and pretension to the land lying between the said line and the Mississippi River, bounded South by the thirty first degree of North Latitude and North by the Yazoo River, where the said line shall strike the same: and on the part of the Commissioners it is agreed, that all persons who may be settled beyond this line shall be removed within it, on the side towards the Mississippi, together with their slaves, household furniture, tools, materials and stock, and that the Cabins or House erected by such persons shall be demolished.

Article 4<sup>th</sup>. The President of the United States may at his discretion proceed to execute the second article of this Treaty: and the third Article shall be carried into effect, as soon as may be convenient to the Government of the United States, and without unnecessary delay on the one part or the other of which the President shall be the judge; the Chactaws to be reasonably advised, by order of the President of the

United States, of the time when, and the place where, the resurvey and remarking of the old line referred to in the preceding article will be commenced.

Article 5th - The Commissioners of the United States for and in consideration of the foregoing concessions on the part of the Choctaw Nation and in full satisfaction for the same, do give and deliver to the Mingo, Chiefs and Warriors of the said Nation at the signing of these presents, the value of Two thousand dollars in goods and merchandise nett cost of Philadelphia, the receipt whereof is hereby acknowledged, and they further engage to give three sets of Blacksmith's Tools to the said Nation.

Article 6th This Treaty shall take effect and be obligatory on the contracting parties so soon as the same shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate hereof.

In Testimony whereof the Commissioners Plenpotentiary of the United States, and the Mingo, Principal men and Warriors of the Choctaw Nation, have here to subscrive their names and affix their seals at Fort Adams on the Mississippi this Seventeenth day of December in the year of our Lord One thousand eight hundred and one and of the Independence of the United States the twenty fifth.

Tushrona <sup>his</sup> mark Hopoia   
mark  
Docta <sup>his</sup> mark Homo   
mark  
Mingo <sup>his</sup> mark Mattatulley   
mark  
Ooh <sup>his</sup> mark Shummo   
mark  
Mingo <sup>his</sup> mark Poos coo   
mark  
Buckthorn <sup>his</sup> mark Milby   
mark  
Shappa <sup>his</sup> mark Homo   
mark  
Ahu pa <sup>his</sup> mark Homo   
mark  
Hilla talla <sup>his</sup> mark Homo   
mark  
Hoche <sup>his</sup> mark Homo   
mark  
Guffrena <sup>his</sup> mark Chaabe   
mark  
Mucusha <sup>his</sup> mark Hopoia   
mark  
Cappatanne <sup>his</sup> mark Shluco   
mark  
Robert R. McCleure   
mark

Ja<sup>d</sup> Wilkinson   
Benjamin Hawkins   
And<sup>w</sup> Pickens 

Witnesses present

Alex<sup>r</sup> Macomb Sec<sup>r</sup> to the Comms<sup>r</sup>  
John M<sup>c</sup>Free Superintendant & Ag<sup>t</sup> to the Choctaws  
Henry Gaither Lieut Col<sup>r</sup> Comm<sup>t</sup> Infantry  
John H. Brule Major 2<sup>d</sup> Regiment ~~Infantry~~  
B. Shaumburgh Cap. 2<sup>d</sup> Regt Infantry  
J<sup>r</sup> Jones Asst<sup>r</sup> M<sup>r</sup> Gen<sup>r</sup>  
Benjamin Wilkinson Lieut Paymaster 3<sup>d</sup> U<sup>r</sup> S Regt  
J<sup>r</sup> B. Wallack Aid de Camp to the Commanding General  
J<sup>r</sup> Wilson Lieut 3<sup>d</sup> Regt Inf.  
Sam<sup>e</sup> Acton Quell 2<sup>d</sup> Regt Inf<sup>r</sup>  
J<sup>r</sup> Carmichael Surg<sup>r</sup> 3<sup>d</sup> Regt U<sup>r</sup> Army.

Pooshah <sup>his</sup> mark <sup>name</sup> (S)

Bahai <sup>his</sup> mark <sup>name</sup> (S)

Now therefore to the end that the said Treaty may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public, and I do hereby enjoin and require all persons bearing Office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said Treaty and every clause and article thereof.

In Testimony whereof I have caused the Seal of the United States to be affixed to these Presents, and signed the same with my hand.

Done at the City of Washington the fourth day of May, in the year of our Lord One thousand, eight hundred and two, and of the sovereignty and Independence of the United States the twenty sixth.



W. H. M.

By the President

James Madison Secretary of State

May 4<sup>th</sup> 1802.

Proclamation of a  
Treaty with the Choctaw  
Nation of Indians.

